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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,279	10/16/2000	Kenneth W. Aull	15-0218	2207

7590 03/07/2005
TAROLLI, SUNDHEIM, COVELL & TUMMINO LLP
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SUITE 1111
CLEVELAND, OH 44114-1400

EXAMINER

HENEGHAN, MATTHEW E

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/690,279

Applicant(s)

AULL ET AL.

Examiner

Matthew Heneghan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/20/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. In response to the most recent office action, claims 1 and 12 have been amended. Claims 1-22 have been examined.

Information Disclosure Statement

2. An information disclosure statement (IDS) was submitted on 20 September 2004. The information disclosure statement has been fully considered by the examiner.

Drawings

3. The drawings were received on 5 October 2004. These drawings are acceptable.

Specification

4. In view of Applicant's amendment, all previous objections to the specification are withdrawn.

Claim Rejections - 35 USC § 112

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5. In view of Applicant's amendments, all previous rejections under 35 U.S.C. 112 are withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 4, 6, 10-13, 15-18, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,609,198 to Wood et al. in view of WIPO Patent Application No. 00/04673 to Binding et al. and further in view of U.S. Patent No. 6,134,593 to Alexander et al.

As per claims 1, 10, 12, and 21, the log-on service disclosed by Wood requires the user to supply a credential, such as a smart card containing a certificate that is associated with a trust level that is used for a single sign-on (registration). See abstract and column 4, line 66 to column 7, line 7. A session token (an individual signature certificate) is issued to the user that is commensurate with presented credentials. See column 3, lines 42-53.

Though the validity of certificates is dependent upon their original source, Wood does not disclose that the level of trust should be commensurate with (i.e. proportional to) the source.

Binding discloses a method for establishing trustworthiness levels wherein a smartcard is checked to see if the token (certificate) was produced by an entity with the authority to assign trustworthiness levels (see p.6, line 11-23), and further suggests that that it is necessary for applications that demand high levels of security and secrecy to extend the sphere of trust to include the device itself (see p.2, lines 6-10).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Wood by checking to see if the token (certificate) was produced by an entity with the authority to assign trustworthiness levels, as disclosed by Binding, since it is necessary for applications that demand high levels of security and secrecy to extend the sphere of trust to include the device itself.

As per claims 2 and 13, the service may require the user to enter two fields, such as a name/password pair. See column 12, lines 52-67.

Regarding claims 3 and 14, though Wood provides for anyone of a number of repeated authentication methods, including additional name/password pairs, Wood does not disclose a method wherein a user transmits a piece of data provided to the user. See column 11, line 55 to column 12, line 38.

Alexander discloses a system wherein a password is created for a user for later use (see abstract), as this makes possible automated software unlocking (see column 9, line 25).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Wood and Binding by creating a password for a user for later use, as disclosed by Alexander, as this makes possible automated software unlocking.

As per claims 4, 5, 15, and 16, additional credentials may be acquired by the user from a credential gathering service (a personal registration authority). See column 16, lines 18-56.

As per claims 6-9 and 17-20, the additional information acquired may be an additional name/password pair. See column 16, line 36.

As per claims 11 and 22, the user uses a browser to transact with the registration system. Browsers are used to view web pages (see column 5, lines 40-44).

Response to Arguments

7. Applicant's arguments, see Remarks, filed 5 October 2004, with respect to the rejection of claims 1-22 under 35 U.S.C. 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made in view of Wood, Binding, and Alexander.

In response to Applicant's argument that the issued credential disclosed by Wood does not contain a trust level (see Remarks, pp.14-15), it is noted that the session credential issued by Wood, as depicted in figure 4, item 421, includes a trust level.

Conclusion

8. Due to the change in the rejections of claims 3 and 14, this action is being made non-final.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan, whose telephone number is (571) 272-3834. The examiner can normally be reached on Monday, Tuesday, Thursday, and Friday from 8:30 AM - 4:30 PM Eastern Time.

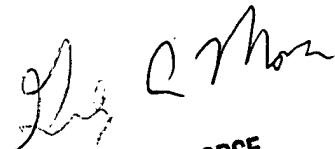
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached at (571) 272-3838.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:


(703) 872-9306


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MEH 

February 14, 2005